



PATENT
Attorney Docket 056100-5022-08 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Chris Somerville *et al.***)
)
Application No. **09/885,189**) Group Art Unit: **1638**
)
Filed: **June 21, 2001**) Examiner: **Elizabeth McElwain**
)
For: **Production of Hydroxylated Fatty Acids**)
 In Genetically Modified Plants)

Mail Stop Amendment

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Arlington, VA 22202

AMENDMENT AND RESPONSE TRANSMITTAL FORM

- Transmitted herewith is an Amendment and Response Under 37 C.F.R. § 1.111 in response to the Non-final Office Action dated April 20, 2004.
- Additional Paper Submitted:
(i) Broun *et al.*, Plant J. 13(2):201-210 (1998).
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants petition for a three-month extension of time from July 20, 2004 to October 20, 2004, the fee for which is **\$980.00** as set out in 37 C.F.R. § 1.17(a). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	2	minus	41	0	\$18 each=	0.00
Independent Claims	1	minus	8	0	\$88 each=	0.00
First presentation of Multiple dependent claim					\$300.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						\$0.00

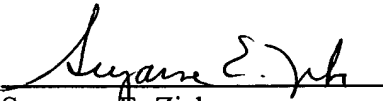
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5. Fee Payment: The Commissioner is hereby authorized to charge **\$980.00** to Deposit Account No. 50-0310 for payment the three-month extension of time fee.
6. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **October 20, 2004**
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202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP


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